

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NELSON CASTILLO, MARTA VALLADARES,
ARACELY VALLADARES, CARLOS REYES, and
YOSELY ESPINAL HENRIQUEZ, individually and on
behalf of all others similarly situated,

Plaintiffs,

- *against* -

PERFUME WORLDWIDE INC. and PIYUSH GOLIA,

Defendant.

Case No. 17-CV-2972 (JS)(AKT)

**ORDER STAYING
CLAIMS OF OPT-IN
PLAINTIFFS**

WHEREAS this case was commenced on May 16, 2017 for alleged violations of the Fair Labor Standards Act and the New York Labor Law; and

WHEREAS on August 5, 2017 Plaintiffs moved for conditional collective certification under the FLSA; and

WHEREAS by order dated March 30, 2018 the Hon. A. Kathleen Tomlinson, USMJ granted in part and denied in part Plaintiffs' Motion for conditional collective certification; and

WHEREAS pursuant to the order dated March 30, 2018 Plaintiffs' Counsel mailed notice and opt in forms to putative collective action members, and

WHEREAS as of the date of this stipulation, 194 individuals (including the original 4 named Plaintiffs) have filed consents to join this FLSA action, and

WHEREAS the Defendants have produced Arbitration Agreements ostensibly pertaining to 91 individuals who have filed consents to join this FLSA action.

NOW THEREFORE, IT IS HEREBY ORDERED:

1. The claims of the Opt-In Plaintiffs identified in Exhibit A are hereby STAYED pending the completion of arbitration proceedings before the American Arbitration

Association (AAA);

2. Opt-In Plaintiffs listed on Exhibit A shall have thirty days from the date of this order *October 17, 2018* until ~~September 30, 2018~~ to file demands for arbitration with the American Arbitration Association (AAA) pursuant to the AAA's Employment Arbitration Rules;
3. The Arbitrator shall have the authority to determine all questions regarding the validity, enforceability and authenticity of the Arbitration Agreements and provisions thereof;
4. This Court shall retain jurisdiction to review and confirm the arbitration award(s), if any, and to enter judgment(s), if any, for the purposes of enforcement;
5. The claims of any opt-in plaintiff on Exhibit A who does not file a demand for arbitration with the AAA on or before *October 17, 2018* shall be dismissed without prejudice.

ENTERED:

9-18-18

JS
JOANNA SEYBERT
HON. JOANNA SEYBERT
UNITED STATES DISTRICT JUDGE

EXHIBIT A
TO ORDER STAYING CLAIMS OF OPT-IN PLAINTIFFS

Date	Doc No.	Name	Bates No
4/30/2018	63	Jermain Charles	DEF04777
4/30/2018	64	Yercis Charles	DEF04851
4/30/2018	65	Yesenia Fuenmayor	DEF02947
4/30/2018	69	Yeni Liseth	DEF04845
4/30/2018	72	Concepcion Saenz	DEF02827
4/30/2018	73	Diana Aguilar	DEF04747
4/30/2018	75	Heydi Baquedano	DEF02425
4/30/2018	77	Jose Ramon	DEF02689
4/30/2018	78	Mauro A. Hernandez	DEF02593
5/2/2018	83	Orfilio Galo	DEF03109
5/2/2018	84	Olvin R. Contreras	DEF03097
5/3/2018	91	Florencia Chica	DEF02359
5/3/2018	93	Carmen Ventura	DEF04735
5/4/2018	96	Jose Agullar	DEF03772
5/4/2018	97	Oscar Guevara	DEF04819
5/4/2018	99	Karen Hernandez	DEF04789
5/4/2018	100	Guadalupe Jaurez	DEF04759
5/4/2018	101	Luz Aguilar	DEF02785
5/4/2018	105	Elvin Jose Bermudez	DEF03850
5/7/2018	107	Elizabeth Cabrera	DEF02491
5/7/2018	108	Rosalina Umanzor	DEF02851
5/7/2018	112	Maria Palacios	DEF02743
5/7/2018	114	Carlos Guzman	DEF03085
5/7/2018	115	Valeria Cedeno	DEF02833
5/7/2018	116	Karla E. Blanco	DEF02473
5/7/2018	118	Eduardo Guardado	DEF04753
5/9/2018	122	Brayam Figueroa E	DEF02443
5/9/2018	123	Kairy Argueta	DEF03482
5/9/2018	124	Jose L. Saenz	DEF03073
5/10/2018	127	Danis Rivera	DEF03127
5/10/2018	129	Odessa Aguilar	DEF02773
5/10/2018	131	Sulma D. Velasquez	DEF03133
5/14/2018	136	Andres Gregono	DEF04717
5/14/2018	137	Dora Miranda	DEF02401
5/14/2018	138	Daniel Reyes	DEF03380
5/14/2018	139	Frida Rojas	DEF02455
5/14/2018	141	Mirna Alvarado	DEF02857
5/14/2018	143	Marina Polanco	DEF02545
5/17/2018	144	Keyri Espinal	DEF03580
5/17/2018	145	Olga Luna	DEF02497
5/21/2018	147	Cristian Pineda	DEF03500
5/21/2018	149	Mario A. Chavez	DEF03235
5/22/2018	152	Carlos Varela	DEF04729

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Date	Doc No.	Name	Bates No
5/24/2018	156	Kensy Solis	DEF04795
5/24/2018	160	Amalia Machado	DEF02989
5/25/2018	162	Vilma Diaz	DEF02599
5/25/2018	163	Jessica V. Chicas	DEF02353
5/29/2018	164	Dinora Diaz	DEF03730
5/29/2018	167	Maribel Sanchez	DEF03169
5/29/2018	168	Noe Sanchez	DEF04813
5/29/2018	169	Oscar Noe Reyes	DEF04827
5/30/2018	171	Keydi Zamadi Ochoa	DEF02869
5/31/2018	172	Jose I. Argueta	DEF03332
6/1/2018	175	Carlos Cruz	DEF04723
6/1/2018	176	Oscar Palma	DEF04833
6/4/2018	185	Javier Cerna	DEF04771
6/6/2018	190	Roxana Vasquez	DEF04839
6/7/2018	195	Meybel Martinez	DEF04807
6/8/2018	202	Gutierrez H. Walter	DEF02935
6/11/2018	203	Maria Vasquez	DEF03712
6/13/2018	209	Miriam Reyes	DEF03356
6/13/2018	212	Alfredis E. Marquez	DEF02647
6/14/2018	213	Yanira Aguilar	DEF02839
6/15/2018	216	Edwin S. Martinez	DEF03079
6/15/2018	217	Ruben Arce	DEF02587
6/18/2018	221	Martin Orellana	DEF03091
6/20/2018	223	Jose Funes	DEF02611
6/20/2018	224	Melvin A. Pavon	DEF02605
6/20/2018	227	Wilber L. Aguirre	DEF03271
6/20/2018	228	Marien W. Arriola	DEF02641
6/20/2018	229	Jose Villalobos	DEF04783
6/20/2018	230	Candelaria del Carmen Molina	DEF02881
6/21/2018	232	Elisa Amaya	DEF02095
6/22/2018	236	Maria B. Jimenez	DEF03037
6/22/2018	237	Maria Jimenez	DEF03037
6/25/2018	240	Leticia Reyes	DEF02569
6/25/2018	241	Xenia Barillas	DEF02551
6/25/2018	242	Maria Villatoro	DEF02797
6/25/2018	243	Meybel Renderos	DEF03634
6/25/2018	244	Maria Moran	DEF04875
6/25/2018	245	Isabel Ortiz	DEF04765
6/25/2018	247	Claribel Campos	DEF03736
6/27/2018	257	Edis Fuentes	DEF02575
6/29/2018	259	Cecilia Ramirez	DEF04741
7/2/2018	261	Martha Rodriguez	DEF04881
7/5/2018	265	Josselin Osmari Reyes	DEF02341

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Date	Doc No.	Name	Bates No
7/19/2018	269	Gladis Villalta	DEF02389
7/23/2018	271	German Solorzano	DEF04863
8/9/2018	274	Karen Vargas	DEF04869
8/9/2018	275	Valery Contarero	DEF04887
8/9/2018	276	Melissa Pinto	DEF04893

TOTAL	91
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